

Entered - 06/04/04 - sb
CL - 04L0370 - LISA CARTER

CLAIM OF: ALLSTATE INSURANCE COMPANY,
as subrogee of Sidney and Michelle Taylor
P.O. Box 227257
Dallas, Texas 75222-7257

04-1236

For damages alleged to have been sustained as a result of an automobile accident due to striking a defective manhole cover on February 21, 2004 at 1419 Vaughn Street, SE.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to ALLSTATE INSURANCE COMPANY, as subrogee of Sidney and Michelle Taylor the sum of \$9,047.55 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident due to striking a defective sewer manhole cover on February 21, 2004 at 1419 Vaughn Street, SE as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/Q30001.

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 7/13/04

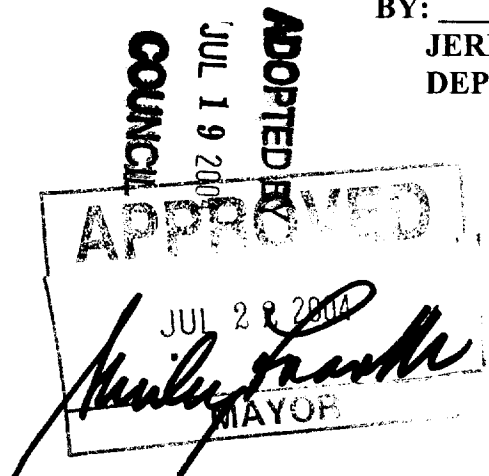
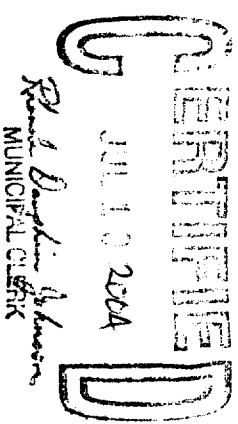
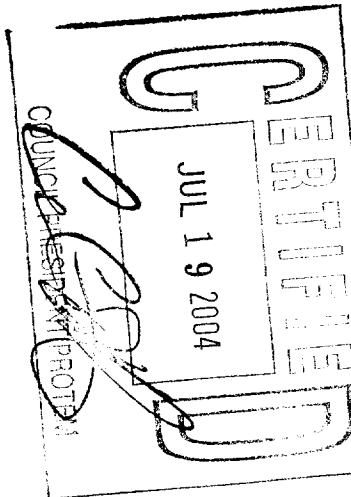
CHAIR: _____

C.T. _____

John Smith

Celia Smith

Celia Smith





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-1236

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Allstate Insurance Co. as subrogee of Sidney & Michelle Taylor** in the sum of **\$9,047.55** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from an automobile accident** due to striking a defective manhole cover on **February 21, 2004 at 1419 Vaughn Street, SE**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/Q30001, Settlement of Suits and Claims, Department of Law.

A true copy,

Shonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

JUL 19, 2004
JUL 22, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0370

Date: June 15, 2004

Claimant /Victim ALLSTATE INSURANCE COMPANY as subrogee of Sidney and Michelle Taylor

BY: (Atty) (Ins. Co.) _____

Address: P. O. Box 227257 Dallas, Texas 75222-7257

Subrogation: X Claim for Property damage \$ 9,047.55 Bodily Injury \$ _____

Date of Notice: 05/20/04 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 02/21/04 Place: 1419 Vaughn Street, SE

Department Watershed Management Bureau: _____ Division: Sewer Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant sustained vehicular damages when he lost control of his vehicle as a result of striking a sewer manhole cover at 1419 Vaughn Street, SE. The investigation determined that the city was on notice of a problem with the sewer cover, but failed to make repairs in a timely manner.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures X Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 9,047.55 Adverse _____ Account charged: 1A01 _____ 2J01 X 2P01 _____

Claims Manager:  Concur/date 07/01/04

Committee Action: _____ Council Action _____

RCS# 5906
7/19/04
2:07 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 1-9, EXCEPT: 04-R-1241

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	B Mosley	Y Willis

CONSENT I

7-19-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1154 2. 04-O-1156 3. 04-O-0765 4. 04-O-1249 5. 04-O-1263 6. 04-O-1034 7. 04-O-1265 8. 04-O-1266 9. 04-O-1264 10. 04-O-1151 11. 04-O-1262 12. 04-O-1157 13. 04-O-1269 14. 04-R-1044 15. 04-R-1049 16. 04-R-1219 17. 04-R-1290 18. 04-R-1210 19. 04-R-1289 20. 04-R-1215 21. 04-R-1216 22. 04-R-1217 23. 04-R-1218 24. 04-R-1232 25. 04-R-1233 26. 04-R-1234 27. 04-R-1235 28. 04-R-1236 29. 04-R-1237 30. 04-R-1238 31. 04-R-1239 32. 04-R-1240	33. 04-R-1222 34. 04-R-1223 35. 04-R-1224 36. 04-R-1225 37. 04-R-1226 38. 04-R-1227 39. 04-R-1228 40. 04-R-1229 41. 04-R-1230 42. 04-R-1231